

105,2026 - Wit Rpt - Hubbard - p1

- Q Did you get them from Somerville? A. Yes, sir.
- Q From what place? A. Mr. Sutphen's.
- Q Were you present when they were taken?
- A Not from Mr. Sutphen's.
- Q Who did you send to get them?
- A Well, my assistant went there.
- Q What is his name? A. I think it was a man by the name of Sheehan.
- Q Where is he now? A. He lives in New Brunswick, Walter Sheehan.
- Q When did you remove the bodies from Somerset County?
- A Removed Mr. Hall's on the afternoon of the 16th.
- Q That is Saturday? A. Yes.
- Q What time? A. Oh, it was late.
- Q And where did you take it?
- A Took it down to my place.
- Q Did you dress the body for burial?
- A Prepared the body.
- Q Dressed,--who put the clothes on the body, or shroud, whatever it was. A. Well, I helped.
- Q Well, you actually did it?
- A Well, I couldn't tell you. I helped, that is all.
- Q You don't recall who did it?
- A I know I was there, but I don't know who assisted me. I think a man by the name of Durling.

105.2026 p2

Q Did you get the box of clothes to put on the body--did you get the attire from anybody?

A I am not sure whether there was clothes sent or whether we furnished a robe.

Q Well, did you send to the house and get a box of clothes for the burial? A. May have done it, I don't remember.

Q Your memory is not very good on this.

A I only remember what I know.

Q Did you know the doctor in his lifetime?

A I did, yes.

Q And you were shocked by his murder?

A Yes; every one was.

Q Everybody was shocked, and yet you can't tell us when he was buried, how he was buried, where you got the clothes to bury him in, or what his attire was when you buried him?

A You said Mrs. Mills.

Q If I said Mrs. Mills I was inaccurate. I said, didn't you get the box of clothes from the Hall house.

A Mr. Edwin Carpenter brought them.

Q What did he bring them in, a box? A. In a box.

Q And with those clothes you attired him? A. Yes, sir.

Q How long were the bodies--were they in your morgue?

A No. We got them ready, the bodies were in such condition we had to get them ready right away for the burial.

MR. SIMPSON: I object. I did not ask you that

105,2026 P3

and I ask to have that stricken out.

Q I asked you if you kept the bodies in your morgue.

MR. PFEIFFER: The Senator has made a great

6a

point that this was a hurried burial.

Q When you got the bodies did you keep them in your place?

A Yes, sir.

Q Where is your place? A. Welton Street.

Q Was Dr. Hall's body kept there until it was taken to the cemetery? A. Taken to the church.

Q When was it taken to the church?

A I think it was on the 18th.

Q That is Monday? A. Or 19th, that was the 19th.

Q That it was taken to the church? A. Yes.

Q That is, you got them on the 16th, is that right--on a Saturday? A. Got Dr. Hall's on the 16th.

Q On Saturday? A. Yes, sir.

Q And it remained in your morgue the 16th, 17th, 18th and 19th?

A Yes, sir; it was buried on the 19th--now just one minute.

Q We can find that out by the cemetery record.

A 18th.

Q On a Monday. A. 18th.

Q What time on Monday was he buried?

A I think 11:00 o'clock in the morning.

Q Buried outside the state? A. Greenwood cemetery, Brooklyn.

Q Is that outside the state? A. Yes, sir.

105.2026 p4

- Q And what time did the cortege leave from New Brunswick to go to Brooklyn? A. I would imagine about half past eleven.
- Q So that you got the bodies on the afternoon of Saturday the 16th, and in the morning of the 18th they were on their way to interment, is that right?
- A Left at eleven o'clock in the morning, about that time.
- Q Is that correct, that you got them the afternoon of the 16th and on the 18th they were on their way to interment?
- A Yes, sir.
- Q Did you notify the county physician that you were about to inter the body of Reverend Hall, who had been murdered, without an autopsy? A. No, sir.
- Q You gave him no notice of that at all? A. No, sir.
- Q Mrs. Mills--did you bury her body? A. Yes, sir.
- Q What time did you get her body in Somerset County?
- A Her body came early on the 17th.
- Q From Somerset County? A. Yes, sir.
- Q And where did you keep that body?
- A I kept it in the morgue.
- Q And what was the date of the interment of that body?
- A That was on the 19th.
- Q Where was the interment? A. New Brunswick.
- Q Did you notify the County Physician of Somerset County, the county in which they apparently had been murdered, or she had been murdered, that you were about to inter that

105,2026 p5

- body? A. No, sir.

Q Do you remember what time Mr. Edwin Carpenter brought you this box of clothes to attire the doctor?

A I think it was some time on Sunday.

Q Sure it was not Saturday afternoon?

A No, it was not Saturday afternoon.

Q Look on back in his testimony and see if he does not say Saturday afternoon. Did you have any permission from the Mills family to inter this body or to take it? A. Yes.

Q From whom did you get that permission? A. Mr. Mills and his daughter.

Q Did you get it in writing or orally? A. Orally.

Q Where did you get it? A. They came down to my place.

Q Where is your place, New Brunswick?

A New Brunswick.

Q What did they say to you about taking the body in the way of permission? A. Well, they asked me to arrange about the burial.

Q Where did you get the burial permit to bury Mrs. Mills?

A I got those from Mr. Sutphen.

Q Sutphen had those permits?

A That is the permit from Dr. Long.

Q Well, there was nothing about the burial of Mrs. Mills-- you got the paper Dr. Long had signed and given to Mr. Sutphen? A. Yes, sir.

105.2026 p6

Q And Dr. Long--did he subsequently tell you he was surprised to find you had interred the body so quickly?

A No, sir.

Q Are you clear as to when you got this box of clothes to robe Dr. Hall's body from Edwin Carpenter?

A I am not clear in regard to that, but I think it was on Sunday.

Q Well, where was the ^{Doctor's} body lying in the mean time?

A At my place.

Q Well, the police had the clothes, didn't they, or was he still dressed in the clothes he wore at the time he was shot?

A If I remember right, they had the clothes, and also the woman's. They kept the clothes. I think they had the clothes.

Q You had the body without any clothes then until Sunday?

A. I think so.

Q Do you remember what time Sunday you dressed him?

A I don't. I would like to go right on and tell you about the burial and tell you where it was and so on, if you wish it.

MR. SIMPSON: Why, no; the other side will get all of that out of you, I think, if they want it. I don't want it.

CROSS EXAMINATION BY MR. PFEIFFER:

Q Mr. Hubbard, you have spoken about a permit which was ob-

105.2026 p7

tained by Mr. Sutphen--did that permit come into your possession, a permit relating to Mrs. Mills?

A Mrs. Mills and for Dr. Hall, both. The permits that they gave is exchanged for a burial permit.

Q Now was the permit that they gave, that Dr. ~~Hall~~ Long gave, in the case of Dr. Hall, the usual one you receive in the case of a person dying, and the usual one which you exchange for a burial permit? A. Yes.

Q So that there was nothing unusual about the permit you received for Dr. Hall's burial? A. No, sir.

Q And the same kind for Mrs. Mills? A. No, sir.

Q Mr. Hubbard, did you go to the scene where the bodies were found on Saturday? A. Yes, sir.

Q About what time did you get there?

A I presume about one thirty, as near as I can tell, Mr. Edwin Carpender and Mr. James Nelson came to my office and they told me that the bodies had been found, they came down there with a taxi, and they asked me to go up. I took my car and took them up there.

Q Now, Dr. Long in his testimony this morning said that you got to the scene later and there were two men with you, and he identified William Stevens as being one of the men who came with you, and after interrogation by Senator Simpson he definitely identified Mr. Stevens as being one of those who came with you. Was Mr. Stevens with you that day?

105.2026 p 8

A. He was not.

Q And you say the two men who came with you were Mr. James Nelson and Mr. Edwin Carpenter? A. Yes, sir.

Q During the time you were there did you see Mr. William Stevens there at all? A. I think not. I don't remember seeing him.

Q Are you able to tell me why Mr. Nelson and Mr. Carpenter went out to the scene?

A Well, Mr. Carpenter was related, and, well, I think Mr. Nelson told me they were particular friends of the family.

Q Well, did Mr. Carpenter or Mr. Nelson tell you they had been asked by somebody to come in order to get the official identification of Dr. Hall? A. No, sir.

Q But you are positive that the two men who went with you were Mr. James Nelson and Mr. Edwin Carpenter?

A If you will put that question again, please.

Q You are perfectly positive that the two men who went with you were Mr. James Nelson and Mr. Edwin Carpenter?

A Yes, sir.

Q Now, doctor, there has been testimony here, that Dr. Hall was buried out of the state. Will you tell me whether you have learned that cemetery plot and vault in which the Stevens family is buried and has been for some time is in the cemetery in the city of Brooklyn called Greenwood Cemetery? A. Yes, sir.

105.2026 p9

Q Is Mrs. Hall's mother, Mrs. Stevens, buried there?

A Yes, sir.

Q What were your directions as to the place where Dr. Hall's casket should be placed in that family vault?

MR. SIMPSON: I object, unless the person giving the directions is identified.

Q Who gave the directions?

A As to placing the body? ~~xxx~~Yes.

Q Yes. A. Mr. Henry Stevens.

Q Mr. Henry Stevens--was there at the time of the burial--who else was there?

A Mr. Henry Stevens, as I remember was the only one of the family that went in the vault.

Q Now, at that time where was Mrs. Hall, when you went down in the vault with Mr. Henry Stevens?

A Mrs. Hall was up in the car.

Q Now will you just state what occurred when you went down in the vault? A. The vault and burial place was a large mound, forty or fifty feet across. There is an opening with a slab. The slab is taken off and the steps go down into the underground burial place. There is a rack there or niches that are placed with squares to place the caskets in there, as they wish them placed, and they are put in that, and Mr. Stevens went down, Mr. Henry Stevens went down with me, and he said that Mr. Hall was to be placed

105.2026 P10

next to Mrs. Stevens and that would leave a place for Mrs. Hall next to Dr. Hall. Well, I said, "That can't be, because there is only one place there," and he said, "Well, now, wait a minute and I will go up and see her" meaning his sister.

48

Q Mrs. Hall? A. Mrs. Hall, in regard to the placing of the casket. When he came back he says, "Mrs. Hall says to put it down in the bottom row, because she wishes to be placed next to Dr. Hall." And after that, that was done, Dr. Hall's casket was placed in the lower rack where there was still room for further caskets? A. Yes, sir.

Q Did I ask you the question in your opinion as an undertaker, was it highly desirable that the body of Dr. Hall should be buried as soon as possible?

A It was.

REDIRECT EXAMINATION BY MR. SIMPSON:

Q Yet Mrs. Mills, whose body was more decomposed than Dr. Hall's, she was not buried until Thursday, was she?

A Mrs. Mills' body came the next day.

Q Oh, don't! Will you answer the question? They have testified here, somebody--that her body was more decomposed than the doctor's, because of the slit in the throat and the work of the maggots. It is a fact, if that is true, that Dr. Hall was buried a day ahead of Mrs. Mills, although

105.2026 p11

you gave as the reason, that the decomposition of the body required the immediate interment of Dr. Hall?

A It was necessary to bury them as quickly as possible.

Q Somebody spoke of Mrs. Hall's mother's burial. Did you conduct that funeral? A. I did.

Q How long was it before Dr. Hall's funeral?

A Well, I don't remember. I presume a couple of years.

Q Well, did anybody go into the vault on the occasion of that burial? A. Yes, sir.

Q Who went in? A. Dr. Hall.

Q Anybody else? A. I don't remember of anybody else.

Q Who attended the funeral of Dr. Hall when they took his body to Greenwood? A. I did.

Q Who else besides you? A. Who went down there?

Q Who went with the remains? A. I did--do you mean from the family?

Q Did Mrs. Hall go, did Mr. Henry Stevens go, did Mr. William Stevens go--- A. Mr. William Stevens went. There were two cars comfortably filled.

Q Can you tell us who went?

A I can't tell you beyond that.

Q Mrs. Hall did not get out of the car, did she?

A I think not.

Q She stayed in the car all during the time she was in the cemetery? A. I think so.

105.2026 p12

Q And did not go down into the vault to see the remains placed in the last resting place?

A Well, it was not very--no, she did not.

Q And the man who did all the work was Mr. Edwin Carpenter?

A No. Mr. Henry Stevens.

Q He was the man who went into the vault? A. Yes.

Q And you conversed with him and he came out of the vault and then came back in and told you what you have already told us? A. Yes, sir.

Q And then the remains were laid at rest and you went away?

A Yes, sir.

Q Up to the time you came out of the vault, did anybody come out of the coaches except Mr. Henry Stevens?

A I was down in the vault.

Q When you came out of the vault nobody was out of the coaches?

MR. PFEIFFER: If you withdraw the first question, Senator, all right. Your second question was all right.

MR. SIMPSON: Thank you for your approval, sir.

Q You, as I understand it, were talking about this permit that you got from Sutphen, the permit which Dr. Long had signed. You haven't got any copy of that, have you--you don't customarily keep copies--they are filed somewhere?

A They are filed, yes.

105.2026 p13

Q What did you need to inter Dr. Hall's body in Brooklyn, what papers did you have to have?

A Had to have a burial permit. I have a letter from Mr. Sutphen saying that the permits were recommended.

Q That is so about the letter, but I am trying to find out what is the routine?

A Oh, the doctor or county physician filled out the certificate of the death, or gave the cause of death. That is taken to the city clerk or whatever officer takes care of that, and he fills out a burial permit. That burial permit goes to the cemetery.

Q Will a New Jersey burial permit allow you to inter in another state, or do you have to get papers in New York?

A No, it goes right through.

RECROSS EXAMINATION BY MR. PFEIFFER:

Q Mr. Hubbard, will you tell us where the funeral of Dr.

Hall was held? A. At St. John's Church.

Q Where is that? A. In New Brunswick, on George Street.

Q That is the church of which he had been the pastor?

A Yes, sir.

Q And then--it was a mere interment at the cemetery we have just been speaking of, and not in any sense a funeral? A. Oh, no; the funeral was held at the church.

Q At the funeral all the members of the family of Dr.

105.2026 p14

Hall and Mrs. Hall~~x~~ et cetera, the Carpenders, and the others, were present, were they not?

A Yes, there was two cars comfortably filled.

Q No, I am speaking now in the church.

A At the service? Oh, yes.

REDIRECT EXAMINATION BY MR. SIMPSON:

Q You could have kept these bodies all right, you could have kept them if necessary "If they did not want them iced or embalmed we could have put them in the vault," is that true, that you could have kept these bodies?

A We could have taken them to the cemetery and put them in the vault.

Q Without that, if you iced them could you have kept them?

A Well, probably.

Q And if you embalmed them could you have kept them?

A The bodies were in a condition that they could not have been thoroughly embalmed.

Q Well, you were examined under oath, weren't you, by the police about all you knew about this thing and signed a statement? A. No.

Q You did not sign that? A. I did not, no. The statement was to be sent to me.

Q Well, is it a fact that you could have kept the bodies longer if you had iced them?

105,2026 p15

A. Well, probably.

Q Did you have instructions not to ice them?

A No, sir, they use ice very little nowadays.

Q How long could you have kept them--how much longer if you had iced them?

A Well, they would not have kept much longer.

Q Well, how much longer--you have already sworn you could have kept them longer.

A Oh, it might have been a few hours, but we had nothing to ice them with. Those things are gone by. They don't ice bodies any more.

Q Did you disinter these bodies?

A I was there when it was done.

Q Well, how long after you had interred them were they disinterred?

MR. PFEIFFER: Which body are you referring to?

MR. SIMPSON: Either body. Dr. Hall's we will take.

Q When was his body disinterred?

A Dr. Hall's, the autopsy was October 5th, at Brooklyn.

Q When was it disinterred?

A The same morning, I think.

Q When was Mrs. Mills' disinterred?

A Mrs. Mills' was on the 29th of September.

105.2026 p16

Q She was disinterred how many days before Dr. Hall was?

A About sixteen days.

FURTHER CROSS EXAMINATION BY MR. PFEIFFER:

Q That is about six days, not sixteen, the difference between September 29th and October 5th--six days.

A Oh, yes. I took it for fifteen. I am mistaken about that.

Q Now let me ask you this, Mr. Hubbard, did the Prosecutor of either Middlesex or Somerset County, or any representative of his or them, or the state of New Jersey, ask you to keep either of these bodies on ice, or ~~do anything~~ do anything else with respect to not having them buried at once?

A They did not. They did not know that the body of Mrs. Mills had been shot four times until we told them.

MR. SIMPSON: That is interesting. Will you make that a little bit plainer?

WITNESS: Mr. Totten came down to my place.

Q (By Mr. Simpson.) Who? A. Mr. Totten. He came in to talk it over and he spoke about Mrs. Mills being shot once, and I told him---

MR. PFEIFFER: About who being shot?

WITNESS: Mrs. Mills, and he said, "Well, that beats the devil, don't it?"

Q What did you tell him?

A Told him she had been shot four times.

105.2026 p17

Q And he said, "That beats the devil," he did not indicate how it beated the devil, did he?

A He left that to me to guess.

MR. PFEIFFER: I did not get that.

MR. SIMPSON: Totten came down and he said she had been shot once and this man said she had been shot four times and Totten said, "Well, that beats the devil."

S A M U E L P. S U T P H E N duly sworn for
DIRECT EXAMINATION BY MR. SIMPSON:

Q What is your business? A. Undertaker.

Q Where? A. Somerville, New Jersey.

Q Did you get any papers from Dr. Long permitting you to remove these bodies of Dr. Hall and Mrs. Mills?

A On Sunday, yes.

Q What time on Sunday?

A Just before Mrs. Mills' body left for New Brunswick.

Q Just before the body left for New Brunswick?

A Yes, Mrs. Mills.

50

Q Did you tell the County Physician that they were going to be interred without an autopsy when you got the permit? He says he was surprised these bodies were interred, that you never told him the permits were for the purpose of interring the bodies.